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General Assembly

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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Fiji and Papua New Guinea: draft resolution

Question of Tokelau

The General Assembly,

Having considered the question of Tokelau,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to Tokelau,[1]

Recalling General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to Non-Self-Governing Territories, in particular General Assembly resolution 59/133 of 10 December 2004,

Noting with appreciation the continuing exemplary cooperation of New Zealand as the administering Power with regard to the work of the Special Committee relating to Tokelau and its readiness to permit access by United Nations visiting missions to the Territory,

Noting also with appreciation the collaborative contribution to the development of Tokelau by New Zealand and the specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme,

Recalling the inauguration in 1999 of a national legislative body, the General Fono, based on village elections by universal adult suffrage and the assumption by that body in June 2003 of full responsibility for the Tokelau budget,

[1] To be issued as *Official Records of the General Assembly, Sixtieth Session, Supplement No. 23* (A/60/23), chap. X.

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Recalling also the report of the United Nations mission dispatched in August 2002 to Tokelau at the invitation of the Government of New Zealand and the representatives of Tokelau,[2]

Noting that, as a small island Territory, Tokelau exemplifies the situation of most remaining Non-Self-Governing Territories and that, as a case study pointing to successful cooperation for decolonization, Tokelau has wider significance for the United Nations as it seeks to complete its work in decolonization,

Recalling that New Zealand and Tokelau signed in November 2003 a document entitled "Joint statement of the principles of partnership", which sets out in writing, for the first time, the rights and obligations of the two partner countries,

Recalling also the decision of the General Fono at its meeting in November 2003, following extensive consultations undertaken in all three villages, to explore formally with New Zealand the option of self-government in free association,

1. *Notes* that Tokelau remains firmly committed to the development of self-government and to an act of self-determination that would result in Tokelau assuming a status in accordance with the options on future status for Non-Self-Governing Territories contained in principle VI of the annex to General Assembly resolution 1541 (XV) of 15 December 1960;

2. *Welcomes* the substantial progress made in the past year towards the devolution of power to the three taupulega (village councils), in particular the delegation of the Administrator's powers to the three taupulega with effect from 1 July 2004 and the assumption by each taupulega from that date of full responsibility for the management of all its public services;

3. *Notes in particular* the decision of the General Fono in November 2003, following extensive consultations in all three villages and a meeting of the Special Committee on the Constitution of Tokelau, to explore formally with New Zealand the option of self-government in free association, and the discussions now under way between Tokelau and New Zealand pursuant to the General Fono decision;

4. *Notes* that the General Fono has endorsed a series of recommendations of the workshop of the Special Committee on the Constitution held in Tokelau in October 2003 with the support of the United Nations Development Programme relating to Tokelau's Constitution, the role and functioning of the General Fono, the judicial system and international human rights conventions;

5. *Acknowledges* Tokelau's initiative in devising a strategic economic development plan for the period 2002–2004 to advance its capacity for self-government and notes that a further plan is now being finalized for the period 2005-2007;

6. *Also acknowledges* the continuing assistance that New Zealand has committed to promoting Tokelau's welfare, as well as the cooperation of the United Nations Development Programme, including the relief and recovery assistance provided in the aftermath of cyclone Percy earlier this year;

7. *Further acknowledges* Tokelau's need for continued reassurance, given the cultural adjustments that are taking place with the strengthening of its capacity for self-government and, since local resources cannot adequately cover the material side of self-determination, the ongoing responsibility of Tokelau's external partners

[2] A/AC.109/2002/31.

to assist Tokelau in balancing its desire to be self-reliant to the greatest extent possible with its need for external assistance;

8. *Welcomes* the establishment of the Tokelau International Trust Fund to support the future development needs of Tokelau and the facilitation of this process through a donor round table to be convened by the United Nations Development Programme following an act of self-determination by Tokelau, and calls upon Member States and international and regional agencies to announce contributions to the Fund and thereby lend practical support to assist this emerging country in overcoming the problems of smallness, isolation and lack of resources;

9. *Also welcomes* the assurance of the Government of New Zealand that it will meet its obligations to the United Nations with respect to Tokelau and abide by the freely expressed wishes of the people of Tokelau with regard to their future status;

10. *Further welcomes* the cooperative attitude of the other States and territories in the region towards Tokelau, its economic and political aspirations and its increasing participation in regional and international affairs;

11. *Welcomes* the associate membership of Tokelau in the United Nations Educational, Scientific and Cultural Organization, its recent accession to membership in the Forum Fisheries Agency and its application for observer status at the Pacific Islands Forum and associate membership in the South Pacific Applied Geoscience Commission;

12. *Calls upon* the administering Power and United Nations agencies to continue to provide assistance to Tokelau as it further develops its economy and governance structures in the context of its ongoing constitutional evolution;

13. *Welcomes* the actions taken by the administrative Power to transmit information regarding the political, economic and social situation of Tokelau to the Secretary-General;

14. *Notes with satisfaction* the successful visit to Tokelau in October 2004 by the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to attend the workshop of the Tokelauan Special Committee on the Constitution;

15. *Also notes* the considerable progress made towards the adoption of a Constitution and of national symbols by Tokelau, the steps taken by Tokelau and New Zealand to develop a draft treaty of free association as a basis for an act of self-determination and the strong support expressed by Tokelauan communities in New Zealand for the move by Tokelau towards self-determination;

16. *Welcomes* the invitation extended by the representatives of Tokelau and the administering Power to the United Nations to monitor an act of self-determination by Tokelau;

17. *Requests* the Special Committee to continue to examine the question of the Non-Self-Governing Territory of Tokelau and to report thereon to the General Assembly at its sixty-first session.